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547/91

COURT FEE INDIA FIVE RUPEES TWENTY RUPEES

IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR.

MISC. PETITION NO. 547 / 1991.

PETITIONER :- Makhanlal Umrey, s/o Shri late Shri Jagturam aged about 52 years, occupation-lecturer, in Dau, R.P. National Higher Secondary School, DURG. (M.P.)

VERSUS.

Division Bench (Civil)

RESPONDENTS:-

1. State of M.P. through Commissioner Education Department M.P. BHOPAL.
2. Joint Director, Public Instruction Durg Division, DURG. (M.P.)
3. Principal, Dau, R.P. National Higher Secondary School, DURG. (M.P.)
4. Chairman, District Education Society, c/o Dau, R.P. National Higher Secondary School, DURG. (M.P.)

PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ...W.P.No.547/91..... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

12/09/2005: -

Smt. Renu Kochar learned counsel for the petitioner.

Mr. Pankaj Shrivastava, learned Panel Lawyer, for respondents 1 and 2.

Mr. Raja Sharma, learned counsel for respondents 3 and 4.

Heard.

This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of directions of this Court to the respondents for payment of salary and other benefits of the post of Lecturer to the petitioner since 01/10/1988 and further for due consideration for promotion on the post of Lecturer on regular basis. The petitioner was promoted to the post of Lecturer on 03/09/1988 (Annexure-B).

On perusal of the documents I found in Annexure-G that the departmental promotion committee in its meeting held on 27/08/1990 did not confirm promotion of the petitioner in view of the fact that no post was available. The petitioner has prayed for consideration/approval of his name for the post of Lecturer.

Be that as it may, Mr. Sharma learned counsel appearing for respondents 3 and 4 submits that the petitioners will be paid whatever is due to him as salary on the post of Lecturer from the date of promotion till the date the petitioner was not approved by the DPC. Learned counsel further states that the petitioner may be considered

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 547/91 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

for promotion as on that day to the post of Lecturer. The petitioner now retired from service.

For the reasons stated above, the respondents 3 and 4 are directed to make payments of arrears of salary for the period the petitioner had worked as Lecturer irrespective of the fact that whether he was working on promotion or otherwise. Respondents 3 and 4 are further directed to consider the case of the petitioner for revised pension also if the petitioner was working as Lecturer on the date of retirement.

In view of the foregoing, the petition stands allowed to the extent indicated above. No order as to costs.

Sd/-
SATISH K. AGNIHOTRI
Judge

Rejesh

12.9.07 20.9.07